

2:18-cv-03099-DRH-GRB

United States District Court

for the

Eastern District of New York

D.W.M., a minor by Willie Moore, his father, and
Ursula Moore, his mother, **D.D.M.**, a minor by Willie
Moore, his father, and Ursula Moore, his mother,
and **WILLIE MOORE** and **URSULA MOORE**,

Plaintiffs

–v–

ST. MARY SCHOOL,
BIAGIO M. ARPINO, Principal of St. Mary School, and
THE ROMAN CATHOLIC DIOCESE OF ROCKVILLE CENTRE and
L.M., **M.J.**, and **M.M.**, infants individually and by their
respective parents and natural guardians

KERRI LECHTRECKER, individually and as a custodial parent
and natural guardian of **L.M.**, an infant;
“**MIKE**” **JONES** and **CHRISTINE JONES**, individually and as
parents and natural guardians of **M.J.**, an infant; and
KRZYSZTOF MARS and **DOROTA MARS**. Individually and as the
parents and natural guardians of **M.M.**, an infant,

Defendants

~~XXXXXXXXXX~~ **PROPOSED DISCOVERY PLAN**

Pursuant to the Federal Rules of Civil Procedure 26(f), the parties agree to the following Joint Proposed Discovery Plan and Scheduling Order:

1. Initial Disclosures by: October 11, 2019
2. Written Discovery Demands on or before: November 8, 2019
3. Written Discovery Responses on or before: December 9, 2019
4. All fact depositions must be completed by: June 1, 2020
5. All expert discovery must be completed by: July 1, 2020
 - a. Expert disclosures pursuant to Rule 26 shall be made by: July 28, 2020
 - b. Rebuttal expert disclosures pursuant to Rule 26 shall be made by: August 28, 2020
6. All discovery, including expert discovery, must be completed by: September 1, 2020
7. Submission of pre-motion letters regarding dispositive motions by: September 15, 2020
8. Submission of Joint Pre-trial Order by: November 1, 2020
9. A Status Conference shall be held on: 2/12/2020 at 11:00 a.m. before Mag. Judge Brown

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Dated: September __, 2019

By: _____
CORY H. MORRIS
Attorney for the Plaintiffs

By: _____
JOSEPH M. NADOR
Attorney for Defendants
Diocese of Rockville Centre,
Biagio M. Arpino, and St. Mary School

By: _____
VESSELIN VENELINOV MITEV,
Attorney for Defendants L.M. and
Kerri Lehtrecker

By: _____
CHRISTOPHER MESTECKY
Attorney for Defendants
M.J., Michael Jones, and Christine Jones

By: _____
STEPHEN A. RULAND
Attorney for Defendants
M.M., Krzysztof Mars and Dorota Mars

SO ORDERED:

/s/ Gary R. Brown
Honorable Gary R. Brown
United States Magistrate Judge

Date: 10/24/2019

CHECKLIST FOR THE COURT

- A. Initial Disclosures: Counsel confirm that the Initial Disclosures have been served:

Plaintiff:

Defendants:

☐ Yes ☒ No

☐ Yes ☒ No

- B. Stipulation and Order of Confidentiality: Counsel confirm that they have consulted in good faith regarding the need for such an order:

☒ Yes ☐ No

Based on that consultation, counsel find that a Stipulation and Order of Confidentiality is:

☒ Needed ☐ Not Needed

- C. Electronically Stored Information (“ESI”): Counsel confirm that they have met and conferred regarding the existence of any relevant ESI on both sides:

☒ Yes ☐ No

The parties have had some preliminary discussion about the type of ESI which is in their clients’ respective possession or control and how they wish to have such ESI produced:

☒ Yes ☐ No

Based on these discussions, counsel are advising the Court that the relevant ESI consists of:

1. Email communications between plaintiffs and defendants and/or between employees and officials of the defendants;
2. Internal communications among Defendants; and
3. Electronically stored information disseminated to Plaintiffs by Defendants.

- D. HIPAA Release Authorizations: Counsel confirm that such authorizations for this case are:

 X Needed Not Needed

- E. Delivery of Motions and Pleadings. The parties agree that a notice of electronic filing through the Court's PACER system shall be sufficient for both service and delivery of the motion on the date filed. The parties further agree to electronically serve each other with filings, by attaching them to emails addressed to all counsel of record.
- F. Defendants agree to depose to the individual Plaintiffs together but Defendants do not agree to limit each respective Defendants deposition time to seven hours for each Plaintiffs.
- G. Plaintiffs propose consolidated discovery responses to Defendants' collective discovery demands to which Defendants have declined to agree at this time.

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SO ORDERED:

Dated: 10/24/2019
 Central Islip, New York

/s/ Gary R. Brown
Hon. Gary R. Brown
United States Magistrate Judge